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OGC Has Reviewed

24 October 1958

MEMORANDUM FOR: Mr. Houston  
SUBJECT: Extraordinary Claims

1. Yesterday I had an inquiry from SSA/DDS by telephone. Preliminary informal comments were requested from this Office on the following situation:

2. When an individual returns to Washington from the field, and there is some indication that he may be soon thereafter reassigned to the field, it has been the time-honored practice of WH Division (and others) to execute a Travel Order transferring the man TDY to headquarters "for consultation prior to reassignment". He thus receives per diem not only while traveling but as long as he remains in temporary duty status. Should it then develop that permanent assignment at headquarters is appropriate, the Travel Order is amended to a PCS and the per diem is terminated. At the time of departure from a WH field station, it was thought by appropriate officials that a certain recent returnee might be reassigned to the field after a brief stay in Washington. By mistake a Travel Order was issued for PCS travel rather than TDY. As it turned out, the employee actually was permanently assigned in Washington, and is here yet. WH Division is interested in bringing a claim on behalf of this individual for reimbursement, for the usual compassionate reasons, in an amount equal to the per diem he would have received had he traveled TDY, this on the grounds that only through an administrative oversight was the man issued a PCS Travel Order, as we now discover, but only by hind-sight, was perfectly appropriate.

3. I replied by quoting in full  statement of December 22, 1944.

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Office of General Counsel

OGC: 

Subject *PA-11*  
Signer  
Chrono

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